

Amendments to House Bill No. 42
2nd Reading Copy

Requested by Representative Chas Vincent

For the Senate Fish and Game Committee

Prepared by Hope Stockwell
March 31, 2009 (8:26am)

1. Title, page 1, line 9.

Following: "ACCOUNT;"

Insert: "PROVIDING A STATUTORY APPROPRIATION;"

Following: "SECTIONS"

Insert: "17-7-502,"

Following: "87-1-201"

Insert: ", "

2. Title, page 1, line 10.

Strike: "AN"

Strike: "DATE"

Insert: "DATES AND A TERMINATION DATE"

3. Page 1, line 13.

Following: line 12

Insert: "**Section 1.** Section 17-7-502, MCA, is amended to read:

**"17-7-502. Statutory appropriations -- definition --
requisites for validity.** (1) A statutory appropriation is an
appropriation made by permanent law that authorizes spending by a
state agency without the need for a biennial legislative
appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective,
a statutory appropriation must comply with both of the following
provisions:

(a) The law containing the statutory authority must be
listed in subsection (3).

(b) The law or portion of the law making a statutory
appropriation must specifically state that a statutory
appropriation is made as provided in this section.

(3) The following laws are the only laws containing
statutory appropriations: 2-17-105; 5-11-120; 5-11-407; 5-13-403;
7-4-2502; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310;
10-3-312; 10-3-314; 10-4-301; 15-1-121; 15-1-218; 15-23-706;
15-31-906; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121;
15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; 17-3-212;
17-3-222; 17-3-241; 17-6-101; 17-7-304; 18-11-112; 19-3-319;
19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512;
19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107;
20-9-534; 20-9-622; 20-26-1503; 22-3-1004; 23-4-105; 23-4-202;
23-4-204; 23-4-302; 23-4-304; 23-5-306; 23-5-409; 23-5-612;

23-7-301; 23-7-402; 37-43-204; 37-51-501; 39-71-503; 41-5-2011;
42-2-105; 44-1-504; 44-12-206; 44-13-102; 50-4-623; 53-1-109;
53-6-703; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870;
75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-150; 77-1-108;
77-2-362; 80-2-222; 80-4-416; 80-5-510; 80-11-518; 82-11-161;
87-1-513; [section 3]; 90-1-115; 90-1-205; 90-3-1003; and
90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments.""

Renumber: subsequent sections

4. Page 3, line 14.

Following: "ACCOUNT"

Insert: "are statutorily appropriated, as provided in 17-7-502, to the department and"

5. Page 3, line 15.

Following: "PROVISIONS"

Insert: "of"

6. Page 3, line 16.

Following: line 15

Insert: "NEW SECTION. Section 4. Forest management account."

(1) There is a special revenue account called the forest management account to the credit of the department of fish, wildlife, and parks.

(2) The forest management account consists of money deposited into the account from forest management projects undertaken pursuant to 87-1-201(9)(a)(iv) and from any other source. Any interest earned by the account must be deposited into the account.

(3) Except as otherwise directed by state or federal law, funds from the forest management account must be used by the department to implement forest management projects that may result pursuant to the provisions of 87-1-201(9)(a)(iv)."

7. Page 5, line 18.

Strike: "[SECTION 2] IS"

Insert: "[Sections 3 and 4] are"

8. Page 5, line 19.

Strike: "[SECTION 2]"

Insert: "[sections 3 and 4]"

9. Page 5, line 21.

Strike: "DATE"

Insert: "dates"

Following: "DATE."

Insert: "(1)"

Strike: "[THIS ACT]"

Insert: "Except as provided in subsection (2), [this act]"

Following: "2009."

Insert: "(2) [Section 4] is effective July 1, 2013."

10. Page 5, line 22.

Following: line 21

Insert: "NEW SECTION. Section 8. {standard} Termination.

[Section 3] terminates June 30, 2013."

- END -